IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

THURSDAY, THE 23RD AUGUST 2007 / 1ST BHADRA 1929

WP(C).No. 9641 of 2004(W)

CP.2/1993 of LABOUR COURT, ERNAKULAM
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PETITIONER:
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1. SR.DIVISIONAL PERSONNEL OFFICER,
   SOUTHERN RAILWAY, TRIVANDRUM.

2. UNION OF INDIA,
   REPRESENTED BY THE GENERAL MANAGER,
   SOUTHERN RAILWAY, MADRAS-3.

BY ADV. SRI.C.N.RADHAKRISHNAN, SR.PANEL COUNSEL

RESPONDENTS:
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1. SMT.K.R.LATHA, D/O. K.K.RAGHAVAN,
   C/O. GENERAL SECRETARY, SOUTHERN RAILWAY
   LABOUR UNION, EDAPPALLY NORTH, KOCHI-24.

2. THE LABOUR COURT (CENTRAL), ERNAKULAM.

BY GOVT.PLEADER SMT.K.R.DEEPA.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 23/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.C.NO.9641/2004

A P P E N D I X

PETITIONER'S EXHIBITS :

EXT.P1 : TRUE COPY OF CLAIM PETITION NO.2/93 FILED BY THE FIRST RESPONDENT.

EXT.P2 : TRUE COPY OF OBJECTION STATEMENT FILED BY THE PETITIONERS HEREIN BEFORE THE LABOUR COURT.

EXT.P3 : TRUE COPY OF THE ORDER PASSED BY THE LABOUR COURT ON 20.1.2003.

TGS

KURIAN JOSEPH J.

W.P.(C) No.9641 of 2004

Dated 23rd August, 2007.

J U D G M E N T

Challenge is on Ext.P3 order passed by the Labour Court, Ernakulam(Central) in Claim Petition No.2/1993. The first respondent was directed to be paid an amount of Rs.26,162/- on the ground that the junior had been promoted overlooking the claim of the petitioner. Learned counsel for the Railways submits that a similar order passed by the Central Administrative Tribunal was set aside by the Supreme Court in Civil Appeal No.8904/90. Therefore, Ext.P3 is quashed.

KURIAN JOSEPH, JUDGE.

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